

H.R. 1255 is a bipartisan bill that merely seeks to clarify the process under which the Presidential Records Act is to be implemented. The bill seeks to nullify President Bush's Executive order by limiting claims of executive privilege to the President and to former Presidents in requiring that the President notify the Archivist of any claims of executive privilege within 60 days preceding a notice of a request for a document with an additional 30 days if requested. These measures essentially return the process to the procedural framework that had been in place since President Reagan issued his original Executive order.

This is an important matter that deserves to be brought to a vote in the Senate. There is strong bipartisan support for the reasonable approach to the Presidential Records Act that is contained in H.R. 1255. Now is not the time, in my view, for political ploys but for, instead, a thoughtful debate and an ultimate vote on this bill.

Two weeks ago, the U.S. District Court for the District of Columbia ruled that Executive Order 13233 is, in part—this is the Executive order President Bush entered—invalid in requiring the Archivist of the United States to delay release of the records of former Presidents at their request as permitted under the order. The Court found that the Archivist's reliance on section 3(b) of that Executive order is without constitutional basis and violates the Administrative Procedures Act. This holding gives us clear direction in legislatively addressing the problems that have arisen as a result of Executive Order 13233.

Under the Presidential Records Act, there is a clear and an unequivocal assumption that the records of a President's administration belong to the people of this Nation, barring the national security interests or an executive privilege claim. The people of this Nation hired the President. His work is undertaken on behalf of the people. Can anyone doubt that the Nation is made stronger and our Government and the electorate are better served by the study of the actions of past Presidents? This is not a matter of trying to uncover dark secrets; rather, it is in everyone's interests and certainly in the interests of this Nation that scholars, students, and the public have access to the records of former Presidents in order to fully understand and appreciate the work of those Presidents and to provide guidance for future Presidents and future administrations.

I strongly urge that H.R. 1255 be brought to the Senate floor for debate and for ultimate passage.

Mr. President, I yield the floor, and I suggest the absence of a quorum.

Mr. REID. Mr. President, would the Senator withhold?

Mr. BINGAMAN. I certainly do withhold.

RECORD CORRECTION

Mr. REID. Mr. President, I made a mistake in my statement a few minutes ago. I have known Vicki Kennedy for many years. My staff tells me I mispronounced her name. That was certainly not intentional. I know Vicki. She was so kind and thoughtful to call me very early Saturday morning to let me know Ted was going into the hospital and I asked her to please call me when the surgery was finished, and Vicki did that. I called her Jackie for reasons unknown to anyone other than whoever puts words in my mouth. I want the RECORD to be corrected.

I note the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. DORGAN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF PROCEDURE

Mr. DORGAN. Mr. President, my understanding is that we are in morning business, and the minority side is actually allocated certain amounts of time. They are not here.

I ask unanimous consent that I may speak in morning business, with the understanding that if someone on the minority side comes to speak in morning business on their time, I will relinquish the floor.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

CHILDREN'S HEALTH INSURANCE PROGRAM

Mr. DORGAN. Mr. President, I believe midweek this week the House will take up the veto override of the President's veto on the Children's Health Insurance Program. There has been a lot of discussion about what this Congress has or has not done. I think despite all of the obstacles and roadblocks we have made progress in a wide range of areas. But the one in which we have made significant progress, which I am very proud of, is expanding children's health insurance coverage.

Regrettably, we have a lot of children in this country who have no health insurance coverage at all. So the question of whether when they are sick they have a doctor to go to is a function, in many cases, of whether the parents have any income or any money in their checkbook or in their pockets. Many times those children get no health care.

In 1997, we put in place the Children's Health Insurance Program. We know it works because we have had it for 10 years. In my State, for example, the Children's Health Insurance Program is not a government program that has

created more bureaucracy. It is a block grant to my State that is used by State government to purchase health insurance from Blue Cross/Blue Shield and cover children who have no health insurance. Most States do that.

This is not a big government program. This Congress passed a bipartisan piece of legislation. Let me emphasize that it is a bipartisan piece of legislation expanding health insurance coverage for children. I am proud that we have done that. In the Senate, we had 67 Senators vote in favor of it. Two Senators who were in favor of that bill were absent at that time, so that is 69 Senators who said, yes, let's expand the program. It was fully paid for. It doesn't increase the debt by one penny. It expands the program and would allow 3.8 million additional children in this country to have access to health care coverage.

Mr. President, I don't know what is in second or third or even fourth place in terms of people's priorities. I know what is in first place for most people: their children and their children's health.

The President says he vetoed this legislation because it is big government. He vetoed this legislation because he says it would cover kids at the family level of income of \$83,000. The President knows better than that. He wasn't telling the truth. Let me just, if I can, speak a bit of truth to this issue. This is not big government. Contrary to most of what the President is sending down to the Congress, this is paid for. Contrast this children's health insurance—a proposal from the Congress that is paid for—with the proposals that sit in front of the Congress from the President for Iraq and Afghanistan to prosecute the war. Right now, we have a \$189 billion request by this President to continue funding the war in Iraq and Afghanistan. Not one penny of it is paid for.

We send the soldiers to war, and the President says let's send them the bill later when they come home and they can help pay for it. Contrast that with what we have done with children's health insurance. It is \$35 billion over 5 years, all of it paid for, and 3.8 million children, who at this point don't have access to health insurance coverage, will get that coverage. Is that something we ought to be proud of? In my judgment, it is. Now, the President, when he vetoed this, he said this is going to provide coverage to kids whose parents are at the \$83,000 level. That is not the poverty level. There is no \$83,000 level. That was a level requested by the State of New York, which was not approved.

It is true that there are a number of States that cover children from families who have incomes above the 200-percent level of poverty, but let me point out that this George W. Bush administration approved these expansions, and I will give an example. In 2003, New Jersey applied for a waiver to be able to cover parents in their program. Secretary Thompson of the Bush